

✓ 2808. Misbranding of Vitalitone (device). U. S. v. 9 Devices * * *. (F. D. C. No. 26985. Sample Nos. 55139-K, 55140-K.)

LIBEL FILED: April 11, 1949, Western District of Oklahoma.

ALLEGED SHIPMENT: By Professional Aids, Inc., from Salt Lake City, Utah. The devices were shipped on or about February 19 and March 1, 1949, and quantities of printed matter were shipped on or about March 6, 1949.

PRODUCT: 9 *Vitalitone* devices at Oklahoma City, Okla., together with copies of a circular entitled "Placements for Various Conditions," copies of a body chart, and copies of a mailing circular. The device was electrical and was designed for applying the household current to the body following rectification and modulation. The strength of the current could be varied, and the current could be supplied either steadily or intermittently.

LABEL, IN PART: "Vitalitone Model B."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the circulars and body charts were false and misleading. The statements represented and suggested that the device was an adequate and effective treatment for rheumatism, arthritis, charleyhorse, liver disorders, kidney disorders, paralysis, prolapse of colon, prolapse of female organs, angina pectoris, nervous indigestion, high blood pressure, low blood pressure, tense muscles, constipation, asthma, fallen arches, sinusitis, hay fever, nervous tension, and muscular atrophy; and that it would be effective for improving defective vision, rejuvenating the bust, and removing double chin and bags from under the eyes. The device was not an adequate and effective treatment for such diseases and conditions, and it would not fulfill the promises of benefit stated and implied.

DISPOSITION: July 13, 1949. Professional Aids, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the devices be released under bond for relabeling under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE

2809. Misbranding of Bucokol, Arsulin Powder, thionitrate tablets, and guaiacol. U. S. v. 123 Bottles, etc. (F. D. C. No. 26962. Sample Nos. 34123-K to 34126-K, incl.)

LIBEL FILED: April 1, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about November 29, 1946, and May 2 and 9 and July 8 and 19, 1947, by Vet Products, Inc., from Kansas City, Mo.

PRODUCT: 123 1-pint bottles of *Bucokol*, 70 1-pound cartons of *Arsulin Powder*, 30 100-tablet bottles of *thionitrate tablets*, and 5 bottles of *guaiacol* at Oakland, Calif. Analyses disclosed that the *Bucokol* consisted essentially of mineral oil, approximately 75 percent, soap, phenolic compounds including guaiacol, eucalyptus oil, camphor, and a small proportion of water; that the *Arsulin Powder* consisted essentially of a bark, linseed meal, arsenic trioxide, and sulfur; that the *thionitrate tablets* consisted essentially of sodium nitrate, sodium thiosulfate, dextrose, and ultramarine blue; and that the *guaiacol* consisted essentially of 69 percent mineral oil, soap, phenolic compounds including guaiacol, eucalyptus oil, camphor, and a small proportion of water.

NATURE OF CHARGE: *Bucokol*. Misbranding, Section 502 (a), the label statement "An Aid in Treating Simple Colds of Livestock and Poultry" was false and misleading since the article was not effective as an aid in treating simple colds of livestock and poultry.